

Notice of Allowability

Application No.

10/058,035

Examiner

Farzana E. Hossain

Applicant(s)

TAKAGI ET AL.

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications filed 05/03/2007.
2. ☒ The allowed claim(s) is/are 1-4 and 9.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____


CHRIS KELLEY

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claim 9 recites, "...to select a subchannel of the main channel..." The Office assumes "subchannel" to be --sub-channel--.

Allowable Subject Matter

2. Claims 1-4 and 9 are allowed.

3. The following is an examiner's statement of reasons for allowance:

Regarding Claims 1 and 9, Ellis discloses that the control unit references channel information to thereby select an upward/downward adjacent sub-channel in the main channel (Figure 11, 85, Page 5, paragraphs 0064-0068), the control unit references the channel information to thereby select an upward/downward adjacent sub-channel in the main channel through which a broadcast is being received currently, each time the UP/DOWN key is operated (Page 2, paragraph 0036, Figure 5, Figure 11, Page 5, paragraphs 0064-0068); selects a sub-channel having the largest sub-channel number,

when receiving the instruction by the UP key and remaining within the main channel (Figure 11, Page 5, paragraph 0068), selects a sub-channel having the smallest sub-channel number, when receiving the instruction by the DOWN key and remaining within the list of related channels of the main channel (Figure 11, 85, Page 5, paragraph 0068). Ellis discloses dedicated keys (Page 2, paragraph 0039). Ellis discloses a key to select sub channels and a key to select main channel Figure 10, 71, Page 3, paragraph 0047, Figure 2, channel Up and Down Keys and Navigation Keys). Lajoie discloses that selects a channel having the largest channel number, when receiving the instruction by the UP key and not finding an upward adjacent channel in the main channel with reference to the channel information as the list of related channels can not continue scrolling once the largest channel number has been reached (Column 15, lines 4-7, Column 25, lines 30-52) and selects a channel having the smallest sub-channel number, when receiving the instruction by the DOWN key and not finding a downward adjacent channel in the main channel with reference to the channel information as the list of related channels can not continue scrolling once the smallest channel number has been reached (Column 15, lines 4-7, Column 25, lines 30-52).

The prior art of record does not suggest nor teach the following limitations (or similar limitations) in conjunction with other elements as claimed in the rejected independent claims: A main channel selection key and a key that is solely dedicated to sub channel selection to select a sub channel of the main channel in order to select a sub channel having largest number when an upward channel is not found in the main channel and selecting a sub channel having smallest number when a downward

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channel is not found.

Regarding Claims 2-4, Ellis discloses that the control unit references channel information to thereby select an upward/downward adjacent sub-channel in the main channel (Figure 11, 85, Page 5, paragraphs 0064-0068), the control unit references the channel information to thereby select an upward/downward adjacent sub-channel in the main channel through which a broadcast is being received currently, each time the UP/DOWN key is operated (Page 2, paragraph 0036, Figure 5, Figure 11, Page 5, paragraphs 0064-0068); selects a sub-channel having the largest sub-channel number, when receiving the instruction by the UP key and remaining within the main channel (Figure 11, Page 5, paragraph 0068), selects a sub-channel having the smallest sub-channel number, when receiving the instruction by the DOWN key and remaining within the list of related channels of the main channel (Figure 11, 85, Page 5, paragraph 0068). Ellis discloses dedicated keys (Page 2, paragraph 0039). Ellis discloses a key to select sub channels and a key to select main channel Figure 10, 71, Page 3, paragraph 0047, Figure 2, channel Up and Down Keys and Navigation Keys).

Kim discloses that the input device includes an operation key for instructing the control unit to select a sub-channel adjacent in upward/downward direction in the same main channel (Page 3, paragraph 0040), the control unit or microprocessor references the channel information provided by the decoder (Figure 1, 108) to thereby select an upward/downward adjacent sub-channel in the main channel through which a broadcast is being received currently, each time the operation key is operated (Pages 3-4,

paragraph 0040-0042); the control unit searches the main channel in reception currently in reciprocation or searches what the next highest or lowest channel should be for the sub-channel to be selected when there is not the upward/downward adjacent sub channel in the channel information (Pages 3-4, paragraph 0041-0042); wherein the search in reciprocation is a search for an adjacent minor channel in an opposite direction from a direction selected by the operation key (Pages 3-4, paragraph 0041-0042).

The prior art of record does not suggest nor teach the following limitations (or similar limitations) in conjunction with other elements as claimed in the rejected independent claims: A main channel selection key and a key that is solely dedicated to sub channel selection to select a sub channel of the main channel in order to select a sub channel searching sub channels when there is not upward/downward adjacent sub-channel causing the search for an adjacent sub channel in an opposite direction from direction selected by the operation key.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farzana E. Hossain whose telephone number is 571-272-5943. The examiner can normally be reached on Monday to Friday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FEH
July 5, 2007


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